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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION**

ALFRED G. CLARKE,
Plaintiff,

v.

THE SHERIFF'S DEPARTMENT
OF SAN BERNARDINO COUNTY,
et al.,
Defendants.

No. 5:23-cv-02017-VBF-BFM

**ORDER ACCEPTING
MAGISTRATE JUDGE'S
REPORT AND
RECOMMENDATION**

Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Complaint, the records and files herein, and the Magistrate Judge's Report and Recommendation. No objections to the Report and Recommendation were filed. The Court accepts the recommendations of the Magistrate Judge.

ACCORDINGLY, IT IS ORDERED:

1. The Report and Recommendation is accepted.
2. The First Amended Complaint is **dismissed without prejudice**.
3. Defendant Herrera's Motion to dismiss (ECF 18) is **denied** as moot.
4. Judgment shall be entered dismissing this action without prejudice.

DATED: May 16, 2025

HON. VALERIE BAKER FAIRBANK
SENIOR UNITED STATES DISTRICT JUDGE